

Introduced by Senator Scott

February 20, 2004

An act to amend Section 17281 of, to add Section 81050.3 to, to repeal Section 81051 of, and to repeal Article 7 (commencing with Section 81130) of Chapter 1 of Part 49 of, the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

SB 1727, as introduced, Scott. Community colleges: facilities.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law authorizes the establishment of community college districts under the administration of community college governing boards, and authorizes these districts to provide instruction at community college campuses throughout the state.

Existing law requires the Department of General Services to supervise the design and construction of certain school buildings, including specified community college facilities, to ensure that plans and specifications comply with specified structural safety standards and to ensure that the work of construction has been performed in accordance with the approved plans and specifications, for the protection of life and property. Existing law also requires the department to pass upon and approve or reject all plans for the construction of, and in some cases, the alteration of, any school building subject to those provisions, and to inspect the school buildings and work of construction or alteration that in its judgment is necessary or proper for the enforcement of these requirements and the protection of the safety of the students, the instructors, and the public. These requirements are part of the body of law known as the Field Act.



This bill would repeal the provisions of the Field Act that apply to community college facilities. The bill would require that, on and after January 1, 2005, the Field Act does not apply to the design, construction, or use of any building leased or owned by a community college district for purposes of housing the operations of a community college, and that, instead, the design, construction, and use of any building leased or owned by a community college district for purposes of housing the operations of a community college is governed by appropriate provisions of the California Building Standards Code, as adopted by the California Building Standards Commission. The bill would also make technical and conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature to enact
2 legislation to remove community colleges from the jurisdiction of
3 the Field Act.

4 SEC. 2. Section 17281 of the Education Code is amended to
5 read:

6 17281. This article, together with Article 6 (commencing
7 with Section 17365), ~~and Article 7 (commencing with Section~~
8 ~~81130) of Chapter 1 of Part 49~~, shall be known and may be cited
9 as the “Field Act.”

10 SEC. 3. Section 81050.3 is added to the Education Code, to
11 read:

12 81050.3. Notwithstanding any other provision of law, on and
13 after January 1, 2005:

14 (a) The Field Act does not apply to the design, construction, or
15 use of any building leased or owned by a community college
16 district for purposes of housing the operations of a community
17 college.

18 (b) The design, construction, and use of any building leased or
19 owned by a community college district for purposes of housing the
20 operations of a community college is governed by appropriate
21 provisions of the California Building Standards Code, as adopted
22 by the California Building Standards Commission.

23 SEC. 4. Section 81051 of the Education Code is repealed.



1 ~~81051. (a) Each school building that has been placed on the~~
2 ~~National Register of Historic Places, and to be used for community~~
3 ~~college purposes, shall be renovated according to the Field Act, as~~
4 ~~defined in Section 81130.3. If subdivision (b) applies, that~~
5 ~~building may be renovated according to the regulations adopted by~~
6 ~~the State Architect pursuant to subdivision (d) of Section 17280.5.~~

7 ~~(b) The governing board of a community college district that~~
8 ~~proposes to renovate, pursuant to this section, a school building~~
9 ~~that does not comply with the Field Act shall hold a public hearing,~~
10 ~~after giving appropriate public notice, for the purpose of gaining~~
11 ~~public input on the matter. The governing board shall adopt its~~
12 ~~decision on this proposal at a public hearing.~~

13 SEC. 5. Article 7 (commencing with Section 81130) of
14 Chapter 1 of Part 49 of the Education Code is repealed.

